EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2007-1877-PWS-E **TCEQ ID:** RN100677285 **CASE NO.:** 34984

RESPONDENT NAME: Eastex Lumber & Supply, LLC

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	_EMERGENCY ORDER	ī
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Public water s SMALL BUSINESS:X_Yes OTHER SIGNIFICANT MATTERS: To facility location. INTERESTED PARTIES: No one other COMMENTS RECEIVED: The Texas R CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordina	No here are no complaints. There is no record of addition than the ED and the Respondent has expressed an inte	al pending enforcement actions regarding this crest in this matter. To comments were received.
239-1482; Mr. Bryan Sinclair, E. Respondent: Mr. Bobbie Schiel,	nforcement Division, MC 219, (512) 239-2171, Owner, Eastex Lumber & Supply, LLC, 5429 Hartwipresented by counsel on this enforcement matter	

RESPONDENT NAME: Eastex Lumber & Supply, LLC DOCKET NO.: 2007-1877-PWS-E

VIOLATION SUMMARY CHART: PENALTY CONSIDERATIONS **CORRECTIVE ACTIONS** VIOLATION INFORMATION TAKEN/REQUIRED **Corrective Actions Taken:** Total Assessed: \$1,250 Type of Investigation: Complaint The Executive Director recognizes that the X Routine **Total Deferred: \$250** Respondent has implemented the ___ Enforcement Follow-up X Expedited Settlement following corrective measures at the Records Review Facility: Financial Inability to Pay Date(s) of Complaints Relating to this a. On October 1, 2007, conducted SEP Conditional Offset: \$0 Case: None inspections on the water system's two pressure tanks; Total Paid to General Revenue: \$1,000 Date of Investigation Relating to this Case: September 14, 2007 b. On October 1, 2007, provided a casing Site Compliance History Classification vent for Well No. 2; and Date of NOV/NOE Relating to this Case: X High __Average __Poor October 31, 2007 (NOE) c. On October 1, 2007, repaired the Person Compliance History Classification leaking valves located on the chlorine High __ Average __ Poor Background Facts: This was a routine injection line and feed pump of Well No. investigation. Major Source: ___ Yes _X_ No WATER Ordering Provisions: Applicable Penalty Policy: September 2002 1) Failed to provide accurate up-to-date The Order will require the Respondent to: detailed as-built plans or record drawings and specifications for each treatment plant, a. Within 90 days after the effective date of pump station, and storage tank to this Agreed Order: Commission personnel at the time of the investigation [30 Tex. ADMIN. CODE § i. Submit accurate up-to-date detailed as-290.46(n)(1) and Tex. Health & Safety built plans or record drawings and CODE § 341.035(a)(2)]. specifications for review and approval; and 2) Failed to provide a sanitary control ii. Obtain a sanitary control easement that easement that covers the land within 150 covers the land within 150 feet of Well feet of Well Nos. 1 and 2 [30 Tex. ADMIN. Nos. 1 and 2. CODE § 290.41(c)(1)(F)]. b. Within 105 days after the effective date 3) Failed to maintain all distribution of this Agreed Order, submit written system lines in a watertight condition [30] certification and include detailed TEX. ADMIN. CODE § 290.46(m)(4)]. supporting documentation including photographs, receipts, and/or other records 4) Failed to provide a well casing vent with to demonstrate compliance with Ordering openings that are covered with 16-mesh or Provision a. finer corrosion resistant screen, facing downward, elevated, and are located as to minimize the drawing of contaminants into the well [30 Tex. ADMIN. CODE § 290.41(c)(3)(K)]. 5) Failed to conduct annual inspections on

Additional ID No(s).: PWS ID No. 1013311

the water system's two pressure tanks [30 Tex. Admin. Code § 290.46(m)(1)(B)].

Policy Revision 2 (Sept		nalty	Calculation	on Work	sheet (P	CW) PCW Revision Se	ptember 19, 2007
TCEQ DATES Assigned	12-Nov-2007		7. 7. 4. 5. de	F			
PCW		Screenir	ng 20-Nov-200	7 EPA Due	e		
RESPONDENT/FACILITY							
Respondent Reg. Ent. Ref. No.	Eastex Lumber & RN100677285	& Supply,	LLC	1			
Facility/Site Region				Majo	r/Minor Source	Minor	
CASE INFORMATION)
Enf./Case ID No.				No	o. of Violations		****
Docket No. Media Program(s)	2007-1877-PWS Public Water Su			_ Er	Order Type of, Coordinator	1660 Andrea Linson-Mgbed	odur
Multi-Media						EnforcementTeam 2	
Admin. Penalty \$ I	_imit Minimum _	\$50	Maximum	\$1,000			
		Pen	alty Calcu	lation Se	ction		
TOTAL BASE PENAL	TY (Sum of v			describiblioses for consequences		Subtotal 1	\$1,000
		2000 - 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					
ADJUSTMENTS (+/-) Subtotals 2-7 are obtain			Penalty (Subtotal 1)	by the indicated p	ercentage.	13.05	
Compliance Histo	ory	8 S S V	5'	% Enhancement	Subt	otals 2, 3, & 7	\$50
Notes	Enhancement is						
	are the same of	similar to	o violations in the	e current entor	cement action.		
Culpability	No		0'	% Enhancement		Subtotal 4	\$0
Notes	The Re	spondent	does not meet t	he culpability of	criteria.		
		·]	
Good Faith Effort			0'	Europe de la company de la		Subtotal 5	\$0
Extraordinary	Before NOV	NOV to EDI	PRP/Settlement Offe	er			*
Ordinary							
N/A	<u> </u>	mark with x))			1	
Notes	The Re	spondent	does not meet t	he good faith o	criteria.		
			0.	% Enhancement*		Subtotal 6	\$0
A	Total EB Amounts	\$294	and the second s	ed at the Total EB	\$ Amount	oubtotal o	Ψ0
Approx. (Cost of Compliance	\$2,050					
SUM OF SUBTOTALS	S 1-7			Wat is		Final Subtotal	\$1,050
OTHER FACTORS AS Reduces or enhances the Final S				19%	6	Adjustment	\$200
Notes	Enhancem	ent recom	nmended for reco		ed costs of		
	L dy				Final Pe	nalty Amount	\$1,250
STATUTORY LIMIT A	DJUSTMENT				Final Asse	essed Penalty	\$1,250
DEFERRAL				20%		Adjustment	-\$250
Reduces the Final Assessed Pen	alty by the indicted pe	rcentage. (Enter number only;	e.g. 20 for 20% re	duction.)	The minimum region are to smoothly the in 1970	
Notes	С	eferral of	ffered for expedi	ted settlement			
		-		St		J	
PAYABLE PENALTY	A SEL						\$1,000

Screening Date 20-Nov-2007

Docket No. 2007-1877-PWS-E

PCW

Respondent Eastex Lumber & Supply, LLC

Case ID No. 34984

Reg. Ent. Reference No. RN100677285

Policy Revision 2 (September 2002) PCW Revision September 19, 2007

personal and several few control	Compliance History Worksheet	over the second	- 9550 c. C. Same Constant
	/ Site Enhancement (Subtotal 2)	nter Number Here	Adjust.
NOV\$	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	Ō	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Plea	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment P	ercentage (Sı	ıbtotal 2
Violator (Su	btotal 3)	0.00	lisa is essen
No		ercentage (Su	ıbtotal 3
ance History N/A	/ Person Classification (Subtotal 7) Adjustment P	lovoontono (C	ubfofol 7
		ercentage (St	IDIOIAI 7
ance History	/ Summary		
Compliance History Notes	Enhancement is due to one prior Notice of Violation with violations that are the same or simi in the current enforcement action.	lar to violations	

Screening Date	1	Docket No. 2007-1877-PWS-E	PCW
	Eastex Lumber & Supply, LLC		Policy Revision 2 (September 2002)
Case ID No.			PCW Revision September 19, 2007
Reg. Ent. Reference No.	Public Water Supply		
	Andrea Linson-Mgbeoduru		
Violation Number			
Rule Cite(s)			***************************************
raio otto(o)	30 Tex. Admin. Code § 290.46(n)(1) and Tex. Health & Safety Code § 341.03	35(a)(2)
Violation Description	specifications for each treatment pl personnel at the time of the inve-	late detailed as-built plans or record drawin ant, pump station, and storage tank to Con stigation. Specifically, during the investigati or documented that no approved as-built pl provided.	nmission on on
		Base	Penalty \$1,000
>> Environmental, Property a	ind Human Health Matrix		
Zimoman, reperty	Harm		
Release	Major Moderate Mino	or	
OR Actual Potential	5 1 4 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Percent 0%	
Totoma		1 0 0 0 m	
>>Programmatic Matrix			
Falsification	Major Moderate Mind		
	L X L	Percent 10%	
Matrix Notes	100% of the rule req	uirement was not met.	
		Adjustment	\$900
			\$100
			V 1001
Violation Events			
Number of Vi	plation Events 1	67 Number of violation days	8
Number of Vi	nadon Events T	Number of violation days	9
	daily		
mark only one	monthly quarterly	Violation Base	Penalty \$100
with an x	semiannual		
	annual		- ·
	single event x		
	One single even	t is recommended.	
		The state of the s	
Economic Benefit (EB) for th	is violation	Statutory Limit Tes	t.
Ectimata	d EB Amount	\$59 Violation Final Pena	ulty Total \$125
Estillate			_
	This viola	ation Final Assessed Penalty (adjusted fo	or limits) \$125

Case ID No. Reg. Ent. Reference No.						er en al europe La Maria de Cara	
***	Public Water S	upply	on the contract of the contrac	watered to	Charles reason a sub-character from the method becomes	Percent Interest	Years of Depreciation
	Štěja žeré			To the		5,0	1
Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Appropriate from the propriate and the propriate					The second secon		
Delayed Costs				1 00	T	1 00 T	
Equipment Buildings	ichia	32518763	kan Maran Camba Li i i L	0.0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)	riteria del control		Property of the Control of the Contr	0.0	\$0	\$0	\$0
Engineering/construction	\$1,000	14-Sep-2007	16-Jul-2008	0.8	\$3	\$56	\$59
Land	Ψ1,000	14 OOD 2007	10-001-2000	0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	Total Services		The state of the s	0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs			Stranger of the section	0.0	\$0	n/a	\$0
Other (as needed)	The delayed	l cost includes the a	imount to prepare	0.0 and su	\$0 bmit accurate up-t	n/a:	\$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	specification	s. The date require	d is the investigati	and su on date	bmit accurate up-t The final date is		\$0 Lilit plans and f compliance.
Notes for DELAYED costs AVOIDED GOSTS Disposal Personnel	specification	s. The date require	d is the investigati	and su on date ntering 0.0	bmit accurate up-t The final date is item (except for \$0 \$0	in/a o-date detailed as-bithe estimated date of one-time avoided c \$0 \$0	\$0 uilt plans and f compliance. osts) \$0 \$0
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Notes for DELAYED costs AVOIDED GOSTS Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment	specification	s. The date require	d is the investigati	ntering 0.0 0.0 0.0 0.0 0.0	bmit accurate up-terminal date is street (except for \$0 \$0 \$0 \$0	o-date detailed as-bithe estimated date of \$0 \$0 \$0 \$0 \$0	\$0 uilt plans and f compliance. sosts) \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	specification	s. The date require	d is the investigati	ntering 0.0 0.0 0.0 0.0 0.0 0.0	bmit accurate up-t. The final date is item (except for \$0 \$0 \$0 \$0 \$0	n/a p-date detailed as-bithe estimated date of the stimated date of the	\$0 Lilit plans and f compliance. Sts) \$0 \$0 \$0 \$0 \$0 \$0 \$0
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Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	specification	s. The date require	d is the investigati	ntering 0.0 0.0 0.0 0.0 0.0 0.0	bmit accurate up-t. The final date is item (except for \$0 \$0 \$0 \$0 \$0	n/a p-date detailed as-bithe estimated date of the stimated date of the	\$0 Lilit plans and f compliance. Sts) \$0 \$0 \$0 \$0 \$0 \$0 \$0

Respondent Eastex Lumber & Supply, LLC Case ID No. 31994 Reg. Ent. Reference No. RN100677285 Media [Statute] Public Water Supply Enf. Coordinator Andrea Linson-Migheoduru Violation Number Rule Cite(s) So Tex. Admin. Code § 290.41(c)(1)(F) Violation Description Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2. **Service Potential** Percent Release Actual Adjustment Potential Matrix Faisfleation Major Moderate Minor Percent Matrix Vibrout a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. **Notes** Number of Violation Events Number of Violation Events Number of Violation Events Two single events are recommended, based on one event per wall, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this Violation Estimated EB Amount S22 Violation Final Assessed Penalty (adjusted for limits) S125 This violation Final Assessed Penalty (adjusted for limits) S125	Screening Date	20-Nov-2007	Dock	ket No. 2007-1877-PWS-E	PCW
Reg. Ent. Reference No. RN100677285 Media [Statute] Public Water Supply Enf. Coordinator Andrea Lincon-Mybeoduru Violation Number 2 Rule Citte(s) 30 Tex. Admin. Code § 290.41(c)(1)(F) Violation Description Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2. Base Penalty 51,000 >> Environmental, Property and Human Health Matrix Harm Refease Major Moderate Minor Actual Potential X Percent 5% >> Percent 5% >> Programmatic Matrix Falsification Major Moderate Minor Percent 0% Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Notes Violation Events Number of Violation Events 2 67 Number of violation days \$500 Violation Events Two single events are recommended, based on one event per well, calculated from the investigation date. September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Estimated EB Amount 523 Violation Final Penalty Total 5125	■10		, LLC		Policy Revision 2 (September 2002)
Modia (Statute) Public Water Supply Enf. Coordinator Andrea Linson-Migheoduru Violation Number Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(1)(F) Violation Description Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2. Base Penalty \$1,000 >> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Potential Potential Potentia Percent 5% >>Programmatic Matrix Notes Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Adjustment \$950 \$50 Violation Events Number of Violation Events Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	\$1 to 1 to 18				PCW Revision September 19, 2007
Enf. Coordinator Andrea Linson-Migheoduru Violation Number 2 Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(1)(F) Violation Description Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2. Base Penalty \$1,000 >> Environmental, Property and Human Health Matrix Harm Actual Moderate Minor Actual Potential X Percent 5% >>Programmatic Matrix Falsification Major Moderate Minor Percent 0% Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Adjustment \$950 \$50 Violation Events Number of Violation Events 2 67 Number of violation days Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Estimated EB Amount \$23 Violation Final Penalty Total 3125			•		
Violation Number 2 Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(1)(F) Violation Description Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2. **Passe Penalty** **Percent** **Release** **Major** **Release** **Major** **Release** **Major** **Moderate** **Moderate** **Moderate** **Moderate** **Moderate** **Moderate** **Minor** **Percent** **Without a sanitary control easement, minor** **Percent** **Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. **Adjustment** **Sp50** **Violation Events** **Number of Violation Events** **Number of Violation Events** **Number of Violation Events** **Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. **Economic Benefit** **Estimated EB Amount** **Sp50** **Violation Final Penalty Total** **Sp125** **Violation Final Penalty Total** **Sp125** **Estimated EB Amount** **Sp125** **Violation Final Penalty Total** **Sp125** **Violation Final Penalty Total** **Sp125** **Percent** **Percent** **Sp125** **Percent** **Sp125** **Percent** **Sp125** **Percent** **Percent** **Percent** **Sp125** **Percent** **Percent** **Percent** **Percent** **Sp125** **Percent** **Percent** **Percent** **Sp125** **Percent** **Percent** **Percent** **Sp125** **Percent** **Percent** **Perce					Address of the second of the s
Violation Description Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2. Base Penalty	 Section 1. Control of the control of t		ru		man de de la companya
Violation Description Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2. Base Penalty \$1,000 **Servironmental**, Property and Human Health Matrix **Release Major Moderate Minor **Percent 594 **Percent 0% **Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. **Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. **Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. **Adjustment** **Sp50** **Violation Events** **Number of Violation Events** **Description** **Adjustment** **Sp50** **Violation Base Penalty** **Violation Base Penalty** **Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. **Economic Benefit** **					
Nos. 1 and 2.	Kule Cite(s)		30 Tex. Admin. Code	§ 290.41(c)(1)(F)	vidacion
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Potential X Percent 5% >>Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Percent 0% Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Adjustment \$950 Violation Events Number of Violation Events 2 67 Number of violation days daily monthly quarterly semiannual single event X Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation \$230 Violation Final Penalty Total \$125	Violation Description	Failed to provide a sanita			et of Well
Release Major Moderate Minor Actual Potential X Percent 5% >>Programmatic Matrix Falsification Major Moderate Minor Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Adjustment \$950 Violation Events Number of Violation Events 2 67 Number of violation days daily monthly quarterly semiannual annual single event X Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Estimated EB Amount \$23 Violation Final Penalty Total \$125				Base	Penalty \$1,000
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Falsification Major Moderate Minor Percent 0% Matrix Notes Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Adjustment \$950 Violation Events Number of Violation Events 2 67 Number of violation days daily monthly quarterly semiannual annual single event x Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	Potential		X	Percent 5%	* .
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Matrix Notes Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Adjustment \$950 \$50 Violation Events Number of Violation Events Adjustment \$950 \$50 Violation Events \$67	T dismodation	Major	, mine.	Percent 0%	à a ann ann ann ann ann ann ann ann ann
Supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. Adjustment					The District Control of the Control
Notes Supply could be exposed to insignificant anothers of charaminants that do not exceed levels protective of human health. Adjustment \$950 \$50 Violation Events Number of Violation Events 2 67 Number of violation days daily monthly quarterly semiannual annual single event x Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	Without a s	anitary control easement,	contaminants could e	nter the well and customers of th	e water
Adjustment \$950 \$50	II SUDDIV COUIG	be exposed to insignificar		nants that do not exceed levels p	protective
Violation Events Number of Violation Events Description			or numan nearth.		
Violation Events Number of Violation Events Description				Adjustment	\$950
Violation Events Number of Violation Events Description				·	
Number of Violation Events 2 67 Number of violation days daily monthly quarterly semiannual annual single event x Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125					\$50
Number of Violation Events 2 67 Number of violation days daily monthly quarterly semiannual annual single event x Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	Violation Events			aise a catace	
daily monthly with an x violation Base Penalty \$100	Violation Events				
monthly quarterly semiannual annual single event x Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	Number of Vio	olation Events 2		67 Number of violation day	'S
monthly quarterly semiannual annual single event x Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	***************************************				
Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Comparison of the property of the pro		C. San Control Control	_		
Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	mark only one		=	Violation Base	e Penalty \$100
Two single event x Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125		3. E			
Two single events are recommended, based on one event per well, calculated from the investigation date, September 14, 2007, to the screening date, November 20, 2007. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$23 Violation Final Penalty Total \$125	***************************************	annual			
Economic Benefit (EB) for this violation Estimated EB Amount \$23 Violation Final Penalty Total \$125	2000	single event x			
Estimated EB Amount \$23 Violation Final Penalty Total \$125	Two single ε				stigation
	Economic Benefit (EB) for th	is violation		Statutory Limit Tes	st
		d ED Amount	മാ	Violetian Final Page	olfu Total
This violation Final Assessed Penalty (adjusted for limits) \$125	Estimated	I ED AMOUNT	φ∠υ	violation Final Pena	any 10tai \$125
			This violation Fina	I Assessed Penalty (adjusted f	or limits) \$125

Case ID No.3	34984	& Supply, LLC					
Reg. Ent. Reference No. F Media F Violation No. 2	Public Water S	upply				Percent Interest	Years of Depreciation
				8.16.		5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$				2.9.6		
Delayed Costs_		. Opin			Value O Black		
Equipment	te a testifica de escrito	at a sur desired	and the state of t	0.0	\$0	\$0	\$0
Buildings	7 7971 747 777 777			0.0	\$0	\$0	\$0
Other (as needed)	\$400	14-Sep-2007	16-Jul-2008	0.8	\$1	\$22	\$23
Engineering/construction			od slodenou kroedie konden von ser in s	0,0	\$0	\$0	\$0
Land L				0.0	\$0	in/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs Other (as needed)		Contract to the contract of		0.0	\$0 \$0	n/a n/a	\$0 \$0
1	The delave	d cost includes the	. Nacional de la company de la	4 (11)	the control of the co	ALCOHOLD TO CONTRACT OF THE CO	
Notes for DELAYED costs						nt or exceptions to the the stimuted date	
	requirement. 7	he date required da	ate is the investig	ation dat	e. The final date is	s the estimated date	of compliance
Notes for DELAYED costs Avoided Costs Disposal	requirement. 7	he date required da	ate is the investig	ation dat	e. The final date is		of compliance
Avoided Costs	requirement. 7	he date required da	ate is the investig	ation dat	e. The final date is item (except for	s the estimated date	of compliance osts)
Avoided Costs Disposal	requirement. 7	he date required da	ate is the investig	ation dat	item (except for \$0 \$0 \$0	s the estimated date one-time avoided c	of compliance osts) \$0
Avoided Costs Disposal Personnel	requirement. 7	he date required da	ate is the investig	ntering 0.0 0.0	ie. The final date is item (except for \$0 \$0	one-time avoided c	of compliance osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	requirement. 7	he date required da	ate is the investig	ntering 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	s the estimated date one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	of compliance osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	requirement. 7	he date required da	ate is the investig	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s the estimated date cone-time avoided cone-time \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	of compliance osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	requirement. 7	he date required da	ate is the investig	ntering 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	s the estimated date one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	of compliance osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	requirement. 7	he date required da	ate is the investig	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s the estimated date cone-time avoided cone-time \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	of compliance osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	requirement. 7	he date required da	ate is the investig	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s the estimated date cone-time avoided cone-time \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	of compliance osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$

Screenir	ng Date	20-Nov-2007			ocket No.	2007-1877-PWS-E		PCW
Resp	ondent	Eastex Lumber	& Supply, LL	.C			Policy Re	vision 2 (September 2002)
Case	D No.	34984					PCW Re	vision September 19, 2007
Reg. Ent. Referer	nce No.	RN100677285						Same of the control o
Media [S	Statute]	Public Water S	upply					and the second
Enf. Coor	dinator_	Andrea Linson-	Mgbeoduru					acresses.
Violation	j <u>ı</u>	3						and the second s
Rul	le Cite(s)		30	Tex. Admin.	Code § 290.4	46(m)(4)		
Violation Des >> Environmental, Pro OR	•	during the in	intain all distr vestigation, t chlorine inje	ribution systen he investigato ection line and	m lines in a w	vatertight condition. S d leaking valves loca mp of Well No. 2.		\$1,000
	Ľ				A			
>>Programmatic Matr		Major	Modorata	Minor		•		0.4
Fals	sification	Major	Moderate	Minor		Percent 0)%	
						· crocin	770]	
Matrix Notes						of the water supply to tective of human hea	alth.	
		· 多维酸	\$ 2 2 E		- 4	Adjustment	\$900	<i>1</i> 2.
							Γ	\$100
Violation Events							L	2/45/
Num	ber of Vio	lation Events	2		17	Number of violation	days	,
	k only one vith an x	daily monthly quarterly semiannual	X			Violation	Base Penalty[\$200
Tw		single event				och leaking valve, cal date, November 20,	11	
Economic Benefit (EB	3) for thi	s violation				Statutory Limit	Test	
i	Estimated	I EB Amount		\$1		Violation Final	Penalty Total	\$250
		L					-	
	- 23		T	his violation	Final Asses	sed Penalty (adjust	ed for limits)	\$250

		conomic E	Benefit W	orks	heet	出产品 生产基础	
Respondent	8	& Supply, LLC		OBCCANELL OF CA			. I
Case ID No.	ė i						
Reg. Ent. Reference No.	RN100677285				For AMERICA		
Media Violation No.	Public Water S 3	upply				Percent Interest	Years of Depreciation
		5.466		X -	. Gal	5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs Equipment		W I		0.0	\$0	\$0	\$0
Equipment Buildings				0,0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)			فأحرك والشاحة والما	0.0	\$0 \$0	\$0	\$0
Engineering/construction	\$400	14-Sep-2007	1-Oct-2007	0.0	\$0	\$1	\$1
Land	Ψ-100	14-000-2007	1-00-2007	0.0	\$0	n/a	\$0
Record Keeping System	Zala a		A CONTRACTOR OF THE CONTRACTOR	0.0	\$0	n/a	\$0
Training/Sampling			and the second second	0.0	\$0	n/a	\$0
Remediation/Disposal			100000000000000000000000000000000000000	0.0	\$0	n/a	\$0
•							
Permit Costs			CONTROL OF THE	0.0	\$0	n/a	
Permit Costs Other (as needed)				0.0 0.0 eplace th	\$0 \$0 ne leaking valves	n/a n/a located on the chlori	\$0 \$0
			o. 2. The date req	0.0 0.0 eplace th	\$0 \$0 ne leaking valves he investigation d	n/a + n/a	\$0 \$0
Other (as needed)	and the fe	ed pump at Well No	o. 2. The date req	0.0 0.0 replace th uired is the complian	\$0 \$0 ne leaking valves he investigation d ce.	n/a n/a located on the chlori	\$0 \$0 ne injection line the date of
Other (as needed) Notes for DELAYED costs	and the fe	ed pump at Well No	o. 2. The date req	0.0 0.0 eplace the uired is the complian entering	\$0 \$0 ne leaking valves he investigation doe. Item (except for \$0	in/a n/a located on the chlori ate. The final date is the control one-time avoided o	\$0 \$0? ne injection line the date of
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	and the fe	ed pump at Well No	o. 2. The date req	eplace the uired is to compliantering	\$0 \$0 the leaking valves the investigation doce. Item (except for \$0 \$0	n/a n/a located on the chlori ate. The final date is one-time avoided of \$0 \$0	\$0 \$0 ne injection lines the date of costs) \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling	and the fe	ed pump at Well No	o. 2. The date req	eplace the uired is to compliant on the	\$0 \$0 the leaking valves the investigation doce. Item (except for \$0 \$0 \$0	n/a n/a ocated on the chlori ate. The final date is one-time avoided c \$0 \$0 \$0 \$0	\$0 \$0 ne injection lines the date of costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	and the fe	ed pump at Well No	o. 2. The date req	eplace the uired is to compliant the complia	\$0 \$0 ne leaking valves he investigation doe. Item (except for \$0 \$0 \$0 \$0	n/a n/a n/a located on the chlori ate. The final date is cone-time avoided c \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne injection line the date of sosts) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	and the fe	ed pump at Well No	o. 2. The date req	eplace the compliant of	\$0 \$0 ne leaking valves ne investigation d ce. Item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a n/a located on the chlori ate. The final date is the final date is so so so so so so so so so	\$0 \$0 ne injection line the date of sosts) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	and the fe	ed pump at Well No	o. 2. The date req	0.0 0.0 eplace the uned is the compliant of the compliant	\$0 \$0 \$0 the leaking valves the investigation does. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	in/a n/a located on the chlori ate. The final date is cone-time avoided or \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 Ine injection lines the date of sosts) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	and the fe	ed pump at Well No	o. 2. The date req	eplace the compliant of	\$0 \$0 ne leaking valves ne investigation d ce. Item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a n/a located on the chlori ate. The final date is the final date is so so so so so so so so so	\$0 \$0 ne injection lines the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	and the fe	ed pump at Well No	p. 2. The date req (and costs before ε	0.0 0.0 eplace if uired is it complian entering 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 the leaking valves the investigation does. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ocated on the chlori ate. The final date is so s	\$0 \$0 Ine injection lines the date of sosts) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	and the fe	ed pump at Well No	p. 2. The date req (and costs before ε	0.0 0.0 eplace if uired is it complian entering 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 the leaking valves the investigation does. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	in/a n/a located on the chlori ate. The final date is cone-time avoided or \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne injection lines the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	and the fe	ed pump at Well No	p. 2. The date req (and costs before ε	0.0 0.0 eplace if uired is it complian entering 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 the leaking valves the investigation does. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ocated on the chlori ate. The final date is so s	\$0 \$0 ne injection lines the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	and the fe	ed pump at Well No	p. 2. The date req (and costs before ε	0.0 0.0 eplace if uired is it complian entering 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 the leaking valves the investigation does. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ocated on the chlori ate. The final date is so s	\$0 \$0 ne injection lines the date of \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	20-Nov-2007	Docket	No. 2007-1877-PWS-E	PCW
🛊	Eastex Lumber & Supply	y, LLC		Policy Revision 2 (September 2002)
Case ID No.				PCW Revision September 19, 2007
Reg. Ent. Reference No.				
	Public Water Supply			
	Andrea Linson-Mgbeodu	ıru		
Violation Number Rule Cite(s)	مستور والمناف			
Rule Cite(s)		30 Tex. Admin. Code § 2	90.41(c)(3)(K)	<u> </u>
Violation Description	corrosion resistant scre the drawing of contan	een, facing downward, ele minants into the well. Spec	that are covered with 16-mesh wated, and are located as to min cifically, during the investigation 2 did not have a casing vent.	nimize
			Base F	Penalty \$1,000
>> Environmental, Property a	ind Human Health M	latrix		
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Harm			
Release OR Actual		e Minor		
OR Actual Potential	×		Percent 10%	
>>Programmatic Matrix				
Falsification	Major Moderate	e Minor		
79.7 U.S.			Percent 0%	
			and other contaminants could e uld not exceed levels that are pro	
			Adjustment	\$900
				\$100
Violation Events				
Number of Vid	olation Events 1	17	Number of violation days	The second of th
mark only one with an x	daily monthly quarterly x semiannual annual single event		Violation Base I	Penalty \$100
	One q	quarterly event is recommo	ended.	
Economic Benefit (EB) for th	is violation		Statutory Limit Test	
Estimate	d EB Amount	\$0	Violation Final Penalt	ty Total \$125
	Lowerman			
		This violation Final A	ssessed Penalty (adjusted for	· limits) \$125

Respondent Case ID No.	Eastex Lumber 34984	CONOMIC E & Supply, LLC	Benefit W	orks/	heet	Oserval Carrier	
Reg. Ent. Reference No. Media Violation No.	Public Water S	upply			#1	Percent Interest	Years of Depreciation
To the second se	BENEFA E					5,0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description Delayed Costs	No commas or \$			_			Alleria Alleria Alleria
Equipment	\$50	14-Sep-2007	1-Oct-2007	0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)			tay mikala (1977) am	0.0	\$0	\$0	\$0
Engineering/construction	Line in the control of the control o	Litter of the control		0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling		 		0.0	\$0 \$0	n/a	\$0
Remediation/Disposal		<u> </u>		0.0	\$0 \$0	n/a n/a	\$0 *0
Permit Costs Other (as needed)	ra, williand the			0.0	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	10 (10 (10 (10 (10 (10 (10 (10 (10 (10 (the inves	stigation date. The	e final dat	te is the date of co	Arrenaga,	
Avoided Costs	ANN	IUALIZE [1] avoide	d costs before e	entering		one-time avoided o	
Disposal				0.0	\$ 0	\$0	\$0
Personnel			Morale College	0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$ 0
Supplies/equipment	No. of the A			0.0	\$ 0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]			A Line of the state of the stat	0.0	\$0	\$0	\$0
Other (as needed)		1. January 1981][_0.0_]	\$ 0	\$0	\$0
Notes for AVOIDED costs							
· · · · · ·			,				

Screening Da	te 20-Nov-2007	Docket No. 2007-1877-PWS-E	PCW
	nt Eastex Lumber & Supply, LLC		Policy Revision 2 (September 2002)
Case ID No			PCW Revision September 19, 2007
Reg. Ent. Reference N			
	e] Public Water Supply		
囊型 医阴茎 医二氏性 医二氏虫 医医皮肤 医阿里氏氏管 化二烯二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二	Andrea Linson-Mgbeoduru		
Violation Numb			· · ·
Rule Cite(30 Te	ex. Admin. Code § 290.46(m)(1)(B)	
			.
Violation Description	Failed to conduct annual	inspections on the water system's two pressure tan	ks.
•			
onnecessing.		Base I	Penalty \$1,000
>> Environmental, Property	, and Human Health Matrix		
>> Environmental, Property	Harm		
Releas		Minor	
OR Actu			
Potent	ial x	Percent 25%	
> Decrease of a Madeix			
>>Programmatic Matrix Falsification	n Major Moderate	Minor	
Talsincation 1	Wajor Woderate	Percent 0%	
Failure to p	erform inspections on the pressu	re tanks could result in non-detection of tank defect	s and a
		em's ability to supply an adequate supply of water re	
Notes in custom		osed to a significant amount of contaminants which	would
	exceed levels tha	t are protective of human health.	
			6750
2 经股份股份的股份。		Adjustment	\$750
			\$250

Violation Events			
Number of 1	Violation Events 2	365 Number of violation days	
Number of	Violation Events 2	1 303 Number of Violation days	
	daily		
	monthly		
mark only on		Violation Base I	Penalty \$500
with an x	semiannual		
TO ANNOUNCE OF THE PROPERTY OF	annual x		
veneral viola	sirigie evenii		
***************************************	Two annual events are recomme	ended, based on one annual event for each tank.	
Economic Benefit (EB) for	this violation	Statutory Limit Test	
Estima	ted EB Amount	\$210 Violation Final Penalt	y Total \$625
	Th	is violation Final Assessed Penalty (adjusted for	limits) \$625
		io monatori i mai rissesseu i enarty (aujusteu ioi	5,

Media Violation No.	Public Water S				The state of the s	St. W. E. Gree	i Wasan iliyasi da w
Control of the Contro		Reg. Ent. Reference No. RN100677285 Media Public Water Supply Violation No. 5					
				720		5,0	. 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	kaintu ar E	1 (9.41) 256				
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings		Mark the law of the	e di della di di di di di di di	0.0	\$0	\$0.	\$0
Other (as needed)				0,0	\$0	\$0	- \$0
Engineering/construction				0.0	\$0	\$0	\$0
Land [[.,		i i i i i i i i i i i i i i i i i i i	0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal	74			0.0	\$0	n/a	\$0
Permit Costs							
Other (as needed)		ويورن فيستند والمستوالة		0.0	\$0	n/a	\$0
	Constitute states of		2 (10 (10 (10 (10 (10 (10 (10 (10 (10 (10	0.0	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs Avoided Costs	ANI	NUALIZE [1] avoide	d costs before e	0.0	\$0	n/a s	\$0
Notes for DELAYED costs	ANI	NUALIZE [1] avoide	d costs before e	ntering it	\$0 lem (except for	n/a pne-time avoided c	.osts) #0
Notes for DELAYED costs Avoided Costs				t. intering it	\$0 lem (except for \$0 \$0	one-time avoided c \$0 \$0	\$0 .osts) \$0 \$0
Notes for DELAYED costs AVOIDED COSTS DISPOSAL	ANI \$200	NUALIZE [1] avoide	d costs before e	ntering it	\$0 lem (except for \$0 \$0 \$10	one-time avoided c \$0 \$0 \$200	osts) \$0 \$0 \$0 \$10 \$210
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				ntering it	\$0 em (except for \$0 \$0 \$10 \$0	one-time avoided c \$0 \$0 \$200 \$0	\$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				ntering it 0.0 0.0 1.0 0.0 1.0 0.0 0.0 0.	\$0 em (except for \$0 \$0 \$10 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$200 \$0	\$0 = 3
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				ntering it	\$0 em (except for \$0 \$0 \$10 \$0	one-time avoided c \$0 \$0 \$200 \$0	\$0

Compliance History

Customer/Respondent/Owner-Operator:			CN603259870 Eastex Lumber & Supply, LLC RN100677285 EASTEX FOREST PRODUCTS			Classification	on:	Rating:		
						Classification	on: HIGH	Site Rating: 0.00		
ID Numb	er(s):		INDUSTRIAL AI	ND HAZARDOU	IS WASTE	EPA ID	······································		TXD0266	31630
			INDUSTRIAL AI GENERATION		IS WASTE	(SWR)	ASTE REGISTE	RATION#	38135	
			STORMWATER PUBLIC WATER		PPLY	PERMIT REGISTR	ATION		TXR05Q1 1013311	09
			PETROLEUM S REGISTRATION	TORAGE TANK		REGISTR			45793	
Location:	·		5429 HARTWICI	K ROAD, HOUS	TON, HARRIS	COUNTY, TX	K Rating Date	e: September 01	07 Repeat	Violator: NO
TCEQ R	egion:		REGION 12 - HO	DUSTON					-	
Date Cor	mpliance History Prepared:		November 26, 20	007						
Agency [Decision Requiring Complian	ice History:	Enforcement							
Complian	nce Period:		November 12, 20	002 to Novembe	er 12, 2007					
TCEQ S	taff Member to Contact for Ad	dditional Infor	mation Regarding	this Compliance	e History					
Name:	Andrea Linson-Mgb	oeoduru	Pi	none: <u>51</u>	2-239-1482		V	-		
		-	Site (Compliance H	listory Comp	onents				
1. Has th	ne site been in existence and	or operation		-	•	Yes		arr y		
	ere been a (known) change	•	=			No				
	, who is the current owner?	·	_			N/A				
4. if Yes	, who was/were the prior ow	ner(s)?				N/A		·		
5. When	n did the change(s) in owners	ship occur?				N/A			-	
Compo	nents (Multimedia) for t	he Site :					.,			je.
A.	Final Enforcement Orders,		nents, and consen	t decrees of the	state of Texas	and the feder	al government.			ing.
	N/A						. •			
B.	Any criminal convictions of	f the state of	Texas and the fede	eral government						
	N/A									
C.	Chronic excessive emissic	ons events.								
,	N/A								•	
D.	The approval dates of inve	estigations. (C	CEDS Inv. Track.	No.)						
		(267697)								
		(570312) (594567)								12 (4)
E.	Written notices of violation	ıs (NOV). (CO	CEDS Inv. Track. N	lo.)						
	Date: 04/30/2004	(267697	')							
	Self Report? NO)			Classit	ication: M	inor	•		
			pter 290, SubChap	,	•					
	Description: Self Report? NO		oair broken exterio	r ladder on grou	J		inor			
			pter 290, SubChap				•		•	
	Description: Self Report? NO	•	ovide a copy of the	backflow preve			ajor			
			pter 290, SubChar pter 341, SubChar			•	•			
	Description:	Failure to se design and o	cure the services of construction of pub	of a registered p lic water system	rofessional eng					
	Self Report? NC		ared and submitted	ı ıor our review.	Classi	ication: M	oderate			
	Citation:		pter 290, SubChap	oter D 290.43(c)		ioddon. Wi	220,010	,		
	Description:		ovide an overflow	, ,						

Classification:

Moderate

Self Report?

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A)

Description:

Failure to provide interior and exterior inspections on ground storage tanks.

Self Report?

NO

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)

Citation:

Description:

Failure to provide copies of recorded sanitary control easements, an approved

substitute, or an exception to the requirement for well #1 & #2.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

Н. Voluntary on-site compliance assessment dates.

1. Participation in a voluntary pollution reduction program.

N/A

Early compliance. J.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
EASTEX LUMBER & SUPPLY, LLC	§	
RN100677285	§	
	8	ENVIRONMENTAL OHALI'

AGREED ORDER DOCKET NO. 2007-1877-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Eastex Lumber & Supply, LLC ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a public water supply at 5429 Hartwick Road near Houston, Harris County, Texas (the "Facility") that has approximately 6 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about November 5, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of One Thousand Two Hundred Fifty Dollars (\$1,250) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand Dollars (\$1,000) of the administrative penalty and Two Hundred Fifty Dollars (\$250) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to

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timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. On October 1, 2007, conducted inspections on the water system's two pressure tanks, in accordance with 30 Tex. ADMIN. CODE § 290.46(m)(1)(B);
 - b. On October 1, 2007, provided a casing vent for Well No. 2, in accordance with 30 TEX. ADMIN. CODE § 290.41(c)(3)(K); and
 - c. On October 1, 2007, repaired the leaking valves located on the chlorine injection line and feed pump of Well No. 2, in accordance with 30 TEX. ADMIN. CODE § 290.46(m)(4).
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to provide accurate up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank to Commission personnel at the time of the investigation, in violation of 30 Tex. ADMIN. CODE § 290.46(n)(1) and Tex. Health & SAFETY CODE § 341.035(a)(2), as documented during an investigation conducted on September 14, 2007.
- 2. Failed to provide a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(1)(F), as documented during an investigation conducted on September 14, 2007.

- 3. Failed to maintain all distribution system lines in a watertight condition, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(4), as documented during an investigation conducted on September 14, 2007.
- 4. Failed to provide a well casing vent with openings that are covered with 16-mesh or finer corrosion resistant screen, facing downward, elevated, and are located as to minimize the drawing of contaminants into the well, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(K), as documented during an investigation conducted on September 14, 2007.
- 5. Failed to conduct annual inspections on the water system's two pressure tanks, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B), as documented during an investigation conducted on September 14, 2007.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Eastex Lumber & Supply, LLC, Docket No. 2007-1877-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 90 days after the effective date of this Agreed Order:
 - i. Submit accurate up-to-date detailed as-built plans or record drawings and specifications for review and approval, in accordance with 30 TEX. ADMIN. CODE § 290.46.

The plans shall be submitted to:

Water Supply Division Utility Creation & Plan Review Team, MC 153 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

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with a copy to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- ii. Obtain a sanitary control easement that covers the land within 150 feet of Well Nos. 1 and 2, in accordance with 30 TEX. ADMIN. CODE § 290.41.
- b. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be

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Eastex Lumber & Supply, LLC DOCKET NO. 2007-1877-PWS-E Page 5

made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 Tex. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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EASTEX FOREST PROD

PAGE 02/02

TCEQ

Fax: 5122394562

10:00 5 2008

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Eastex Lumber & Supply, LLC DOCKET NO. 2007-1877-PWS-E Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

5/21/2008

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed (order on behalf of the critity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may jesult in:

A negative impact on compliance history;

Greater scrutiny of any permit applications submitted;

Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penaltics, and/or attorney fees, or to a collection agency;

Increased penalties in any future enforcement actions;

Automatic referral to the Attorney General's Office of any future enforcement actions; and

TCEQ seeking other relief as authorized by law.

In addition, any fulsification of any compliance documents may result in criminal prosecution.

Name (Printed or typed)

Authorized Representative of

Eastex Lumber & Supply, LLC

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph I of this Agreed Order.

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